

06 MAY -5 PM I:36

**United States District Court**EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

D BY

**SUMMONS IN A CIVIL ACTION**

DATA TREASURY CORPORATION

VS

CIVIL ACTION NO 2:06CV72 (DF)  
JURY DEMAND

WELLS FARGO &amp; COMPANY ET AL

TO: Defendant, **The Bank of New York**, by serving its registered agent for service, S.L. Devausney, Vice President and Secretary, 48 Wall Street, New York 15, New York**YOU ARE HEREBY SUMMONED** and required to file with the Clerk of this Court and serve upon

PLAINTIFFS' ATTORNEY:

Edward L. von Hohn  
Nix, Patterson & Roach, LLP  
205 Linda Drive  
Daingerfield, Texas 75638  
903-645-7333

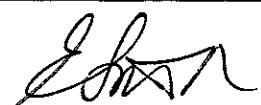
an answer to the complaint which is herewith served upon you, within **20** days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

DAVID J. MALAND, CLERK

MAR 24 2006

Clerk

Date



By Deputy

## RETURN OF SERVICE

Service of the Summons and Complaint was made by me <sup>1</sup>	DATE	4-19-06
NAME OF SERVER	TITLE	Si Paralegal
Moni King		

Check one box below to indicate appropriate method of service

 Served personally upon the defendant. Place where served: \_\_\_\_\_ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left: \_\_\_\_\_

 Returned unexecuted: \_\_\_\_\_ Other (specify): CM R.R. 7003 1680 0007 3529 2841

## STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL

## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 5-1-06

Date  
Signature of Server

MONI CELESTE KING  
SR. PARALEGAL  
NIX, PATTERSON & ROACH LLP

Address of Server 205 LINDA DRIVE

## SENDER: COMPLETE THIS SECTION

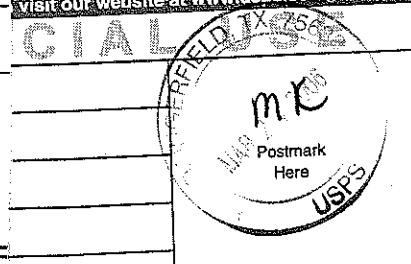
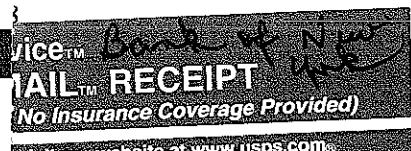
- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1 Article Addressed to:

The Bank of New York  
S L. Devausney, VP & Sec  
48 Wall Street  
New York 15, New York

## COMPLETE THIS SECTION ON DELIVERY

A. Signature	<input type="checkbox"/> Agent
X	<input type="checkbox"/> Addressee
B. Received by (Printed Name)	C. Date of Delivery
R. NICK	4-19-06
D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	



3. Service Type	
<input type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail
<input type="checkbox"/> Registered	<input checked="" type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

New York  
ney, VP & Sec.  
et  
5, New York

2. Article Number  
(Transfer from service label) 7003 1680 0007 3529 2841

102595-02-M-1540